



## *CITY OF PLEASANT HILL*

PHONE (925) 671-5209  
FAX (925) 682-9327

100 Gregory Lane  
Pleasant Hill, CA 94523

### **MINOR SUBDIVISION**

#### **Application Guide**

#### **WHAT IS A MINOR SUBDIVISION?**

A minor subdivision pertains to subdivisions of four or fewer lots. The permit procedure applies equally for residential, commercial, or industrially zoned properties.

In reviewing a minor subdivision, the Zoning Administrator or Planning Commission (referred to hereafter as the hearing body) will consider such items as lot dimensions, driveway size and placement, existing trees and tree removal, traffic generation, roadway placement and geometries, compatibility with adjoining properties, geologic impacts, aesthetic impacts and other potential impacts.

Based on the hearing body's evaluation, plus input from any other interested parties, the hearing body may then impose various conditions of project approval with respect to the Subdivision Map act and neighborhood compatibility factors. Before the hearing body makes a final decision, a public hearing is required on each minor subdivision application.

#### **WHAT ARE THE SPECIFIC REVIEW CRITERIA FOR A MINOR SUBDIVISION?**

As a part of the preliminary review, the Community Development Department shall confer with the Public Works Department, Flood Control District, and other public and private agencies, including public utilities, deemed appropriate to insure compliance with requirements and purposes of the Subdivision Map Act and the City Zoning Ordinance.

If the application meets the requirements of the Subdivision Map Act, the Zoning Ordinance and other City Ordinances, the Zoning Administrator shall schedule a public hearing before the chosen hearing body to consider the proposed land division at the earliest possible date. The Government Code shall assure compliance with all of the following requirements:

1. The proposed division of a parcel will not result in a violation of state law or city ordinance;
2. All provisions of the subdivision ordinance pertaining to subdivision into five or more lots be complied with when the zoning administrator determines that the property may ultimately become part of a subdivision containing five or more lots;

3. All requirements set forth in the development standards;
4. That all access to all lots shall be provided by either:
  - a. An existing improved public street with dedication for widening and improvement to City standards if necessary,
  - b. A street having a right-of-way of less than fifty feet may be permitted only when it is proven that conditions exist that indicate that the proposed street will not have an unfavorable effect on the development in question or upon the neighborhood and that there are existing conditions which preclude the development of a standard street. This street may be a private street with deed restrictions requiring maintenance or other acceptable maintenance provisions with an appropriate private street sign posted.

## **WHAT ARE THE STEPS?**

**Step 1** Preliminary Review - Prior to submittal of a formal application, it is recommended that the applicant discuss the proposed use with staff. The staff can, if requested, respond back in writing regarding the project conformity with the Zoning Ordinance, Subdivision Map Act and other issues, if appropriate.

**Step 2** Filing the Application - Application for a minor subdivision should be made on the Community Development Department's Subdivision Application form. The application form must be accompanied by the additional supporting materials specified by the Community Development Department, including plans, drawings, and other project description information necessary to permit adequate review of the proposed action. A filing fee will be required for each minor subdivision application in the amount set by the City Council.

A Community Development Department staff member will be assigned to review the application materials for completeness. Additional information may be required as staff review of the project progresses.

**Step 3** Environmental Review - To exempt an application, which is possible with some residential projects, the staff will review the application and determine if it is consistent with one of the exemption classifications.

If a project is not exempt, the staff will prepare an Initial Study. If no significant potential adverse environmental effects are identified, a Negative Declaration (a brief statement describing why an Environmental Impact Report is not required) will be prepared for the hearing body's approval. In very rare cases, an Environmental Impact Report may have to be prepared.

**Step 4** Architectural Review - Prior to the hearing body's approval of the request, most minor subdivision applications involving new construction are also subject to the City's site plan and architectural review requirements (certain specified minor projects are exempt). The Architectural Review Commission has a separate applicant guides which can be obtained from the Community Development Department. Applicants are encouraged to apply for all approvals at the time of the original application to allow for concurrent processing.

**Step 5** Zoning Administrator Review - The hearing body is required to hold at least one public hearing on the minor subdivision application. The hearing will be held within 45 days of the application filing date. At least 10 days prior to the hearing, a notice will be mailed to all property owners and residents within 300 feet of the proposed use.

At the public hearing testimony from the applicant and other interested persons will be taken. The hearing body may then close the public hearing and make a decision to approve, or deny the request, or may postpone the decision or continue the public hearing to a later date so that more information can be provided. After a hearing body decision is made, that decision will become final within 10 days unless an appeal is filed as described below.

**Step 6** Final Map Filing - Approval of proposed minor subdivision expires at the end of 24 months unless an approved parcel map is recorded with the County Recorder.

A one-year extension may be granted by the Zoning Administrator based on reasonable cause based on written request. The request for an extension shall be made prior to the expiration of the tentative parcel map.

## **WHAT MUST BE SUBMITTED?**

All submittal information required in the Subdivision Checklist shall be presented including the Application for Development Review form and related fees to the Community Development Department before the application can be accepted as complete.

The parcel map shall conform to all requirements set forth in the Zoning Ordinance and the State Subdivision Map Act.

## **MAY A DECISION BE APPEALED?**

You or anyone else who is dissatisfied with the decision of the Zoning Administrator may appeal that decision to the Planning Commission. To appeal, a written statement and filing fee must be filed with the Community Development Director within 10 days after the decision is made at a public meeting. A public hearing will then be set before the Planning Commission to consider the appeal. The decision of the Planning Commission may be appealed to the City Council.

If no appeal to a decision is filed within 10 days, the decision of the hearing body will be considered final.

### **WHEN DOES THE ZONING ADMINISTRATOR MEET?**

The Zoning Administrator holds Public Hearings on the first and third Wednesday of each month, as necessary. These meetings commence at 2:00 p.m. and are held in the Council Chambers or in the Community Development Department Conference Room in City Hall. The Planning Commission holds Public Hearings on the second and fourth Tuesday of each month. These meetings commence at 7:30 p.m. and are held in the Council Chambers.

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